

CADWALADER, WICKERSHAM & TAFT LLP
One World Financial Center
New York, NY 10281
(212) 504-6000
Israel Dahan (ID 6148)

1201 F Street, N.W. Suite 1100
Washington, DC 20004
(202) 862-2200
Mark C. Ellenberg (ME 6927)

Special Counsel to the Reorganized Debtors

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK.

In re:

ENRON CREDITORS RECOVERY CORP., f/k/a ENRON
CORP., et al.,

Reorganized Debtors.

Case No. 01-16034 (AJG)

Chapter 11

Jointly Administered

ENRON POWER MARKETING, INC.

Plaintiff/Appellee,

-against-

PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH
COUNTY,

Defendant/Appellant.

Adversary Proceeding
No. 03-02064

**APPELLEE'S DESIGNATION OF ADDITIONAL ITEMS
TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, appellee Enron Power Marketing, Inc. ("EPMI") respectfully submits this Designation of Additional Items To Be Included In The Record On Appeal in connection with the appeal by Public Utility District No. 1 of

Snohomish County (“Snohomish”) from the March 19, 2007 Order Striking In Part Certain Defenses of Snohomish and Granting Cross-Motion of Snohomish to Compel Arbitration and Dismiss Adversary Proceeding, issued by the Honorable Arthur J. Gonzalez of the United States Bankruptcy Court for the Southern District of New York.

Designation Of Additional Items For Record On Appeal

Appellee EPMI hereby submits that the following additional item should be included in the record on appeal.

1. Motion of EPMI for Limited Modification of First Amended Order Governing Mediation of Trading Cases in Light of Federal Energy Regulatory Commission Orders dated March 11 and 24, 2005 (Docket No. 41).

2. Declaration of Mark C. Ellenberg in Support of Motion of EPMI for Limited Modification of First Amended Order Governing Mediation of Trading Cases in Light of Federal Energy Regulatory Commission Orders dated March 11 and 24, 2005, including exhibits attached thereto (Docket No. 42).

3. Joinder of Snohomish in the Objections to EPMI’s Motion to Terminate the Mediation Stay (Docket No. 43).

4. Order Signed on May 18, 2005 Granting the Motion of EPMI for Limited Modification of First Amended Order Governing Mediation of Trading Cases in Light of Federal Energy Regulatory Commission Orders dated March 11 and 24, 2005 (Docket No. 45).

5. Transcript of Hearing Held on July 7, 2005; Status Conference re: Case Management Issues (Docket No. 55).

6. Letter dated October 6, 2006, from Alan Gamza, counsel for Snohomish, to the Honorable Arthur J. Gonzalez requesting a stay of EPMI's motion for summary judgment and the Adversary Proceeding (attached hereto as Exhibit A).

7. Letter dated October 10, 2006, from Mark C. Ellenberg, counsel for EPMI, to the Honorable Arthur J. Gonzalez responding to Snohomish's request for a stay of EPMI's motion for summary judgment and the Adversary Proceeding (attached hereto as Exhibit B).

8. Transcript of Hearing Held on October 10, 2006 re: Snohomish's request for a stay of EPMI's motion for summary judgment and the Adversary Proceeding (Docket No. 68).

9. Order Signed on October 11, 2006 denying Snohomish's request for a stay of EPMI's motion for summary judgment and the Adversary Proceeding (Docket No. 64).

Dated: New York, New York
April 12, 2007

Respectfully submitted,

CADWALADER, WICKERSHAM & TAFT LLP

By: /s/ Israel Dahan
Israel Dahan (ID 6148)
One World Financial Center
New York, NY 10281
(212) 504-6000

Mark C. Ellenberg (ME 6927)
1201 F Street, N.W. Suite 1100
Washington, DC 20004
(202) 862-2200

Special Counsel to the Reorganized Debtors

WEIL, GOTSHAL & MANGES
Peter Gruenberger (PG 6040)
Jonathan D. Polkes (JP 4265)
767 Fifth Avenue
New York, NY 10153

Of Counsel